



San Diego City Attorney **MICHAEL J. AGUIRRE**

NEWS RELEASE

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Contact: Maria Velasquez, Communications Director: (619) 235-5725 (pager & voicemail) mvelasquez@saniego.gov

PROPERTY OWNERS ORDERED TO PAY RESTITUTION FOR VACANT RESIDENTIAL STRUCTURES THAT WERE USED AS HANG-OUTS FOR TRANSIENTS AND DRUG USERS *DEFENDANTS MUST PAY \$7000 TO SAN DIEGO POLICE FOUNDATION*

San Diego, CA: Two negligent property owners whose vacant residential properties were each a haven for transient and criminal activity such as illegal drug use, alcohol abuse, and graffiti were prosecuted because they failed to rehabilitate their properties. As part of their sentence, the Court ordered restitution. City Attorney Michael Aguirre today presented the San Diego Police Foundation with checks totaling \$7000 paid by the property owners who maintained similar nuisance properties in Sherman Heights and East Village, located near the San Diego Police Department's (SDPD) Central Division substation.

"Transients continuously broke into the dilapidated vacant structures at the properties, which also presented fire hazards to the neighborhood," said City Attorney Michael Aguirre. "The prosecution of these cases is an excellent example of restorative justice as the monies paid will be used for meaningful programs aimed at preventing crime and improving the community."

In the first case, Leonard Edwards of San Diego continuously ignored notices by the City to clean the graffiti-ridden properties in Sherman Heights which were also plagued with drug activity. The Court ordered the defendant to pay \$2000 to the San Diego Police Foundation for failing to responsibly maintain two residential properties on L Street. The money will be used to support the work of the SDPD Central Division's Neighborhood Resource Team. The Team is dedicated to crime prevention through identification and resolution of problems that present crime opportunities.

The San Diego Police Foundation also received \$5,000 in the second criminal prosecution against Miura Properties, a California Limited Liability Corporation, based in San Diego. The property owner failed to comply with City notices to secure the vacant properties in East Village which also attracted transients, drug users and alcohol abusers. The money will be used for the SDPD's Homeless Outreach Team (H.O.T.) to help battle homelessness through its nationally program. The Team's success is measured by reducing recidivism—the arrest, jail and release cycle that is a costly and largely ineffective way to fight the challenges of the homeless.

The Code Enforcement Unit in the Criminal Division of the City Attorney's Office prosecuted both cases. The defendants pleaded guilty to nuisance violations and were placed on 3 years probation.

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“Restorative justice is an outstanding example of law enforcement and crime prevention,” said Wenda Alvarez, CEO of the San Diego Police Foundation. “It puts accountability squarely on the shoulders of the responsible party. And the fines expand resources available to the police units involved.”

The Code Enforcement Unit, a specialized unit in the Criminal Division of the City Attorney’s Office , is devoted to aggressively enforcing land use and public nuisance laws in San Diego’s neighborhoods. The Unit is at the forefront addressing public nuisance and blight through community policing and partnerships with community groups and other agencies such as San Diego Police Department, Neighborhood Code Compliance Department, etc.

The Code Enforcement Unit regularly implements the concept of “restorative justice” to bring positive community change to local neighborhoods. Restorative justice emphasizes restitution on a very local level by requiring local offenders to contribute back to the communities they harmed. In essence, prosecutors work with neighborhoods to address their problems and act as liaisons between the offenders and the community by requiring them to answer directly to the people affected by the illegal conduct. This unique community-based remedy attempts to make whole a community which would otherwise merely have to cope with the fallout produced by illegal activity.

BACKGROUND:
FIRST CASE: 2617-2619 L STREET AND 2563 L STREET

Continual foot traffic, transients and drug activity plagued this residential property, located behind a neighborhood super market and near Central Police Station. Trash was strewn throughout the graffiti-ridden property and it presented a problem for San Diego police. The prosecution of the property was made possible through a strong partnership between the Police Department, the City’s Vacant Properties Coordinator and the City Attorney’s Code Enforcement Unit. The owner, Leonard Edwards, pleaded guilty last October to nuisance violations and was sentenced to 3 years probation. A requirement of probation was to clean, and board and secure 2617 – 2619 L Street immediately and rehabilitate it within 90 days or list it for sale with notice of the violations. As a condition of probation the Defendant must also complete the rehabilitation of his other vacant property at 2563 L Street and obtain all final inspections by April 2007. \$2,000 in fines were stayed to allow the owner to spend money on rehabilitating the structure.

SECOND CASE: 27 17TH STREET

This was one of five nuisance properties located across the street from the St. Vincent de Paul Village on Imperial. The structures on the property were also vacant and continually unsecured. Again, San Diego police repeatedly responded to alcohol and drug activity occurring on the property which was occupied by transients. In early 2006, the Fire Department responded to a fire caused by transients. The owner, Miura Properties, failed to timely respond to requests by the Vacant Properties Coordinator to properly board and secure the structures and take steps to keep them crime-free. The City Attorney’s Office then served the owner, with a nuisance demand letter. Four structures were demolished and promises were made to demolish the remaining fire damaged structure. Despite ample time given, the owners failed to demolish the structure, so the Code Enforcement Unit filed a criminal complaint. The owner pleaded guilty in September 2006 to five counts of maintaining a public nuisance with a \$5,000 fine stayed and payment of \$500 in investigative costs. The vacant structures, where homeless frequented, are now all demolished. The owner is processing plans to build condominiums at the property.

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